

REMARKS**Provisional Rejection of claims 1, 6, and 9 under the judicially created doctrine of double patenting over co-pending Application Serial No. 09/475,447**

Claim 1 has been provisionally rejected under the judicially created doctrine of double patenting as being unpatentable over claim 1 of co-pending Application Serial No. 09/475,447. The invention as claimed in claim 1 of the subject application discloses a system that allows a supervisor to temporarily modify a ratings control profile. This is unlike the cited co-pending Application which details a system for resolving conflicts between two existing overrides that have been entered by a supervisor. It is respectfully submitted that a temporary modification of a ratings profile as claimed in the subject application is different and patentably distinct from a system for resolving conflicts between two existing overrides that have been entered by a supervisor as claimed in co-pending Application Serial No. 09/475,447. The temporary modification claimed in the subject application is entered by a person having access to the system and relates to one profile and how that one profile restricts the viewing of a signal at that specific time. The co-pending application claims a system for resolving the conflicts between two existing instructions. It is respectfully submitted that resolving a conflict between two existing override instructions as in US Patent Application Serial No. 09/475,447 is patentably distinct from the temporarily modifying a ratings profile of the present claimed invention and thus the issuance of a patent on the present claimed invention would not result in the applicant receiving two patents for the same invention should US Patent Application Serial No 09/475, 447 also issue into a patent.

Claim 6 is provisionally rejected under the judicially created doctrine of double patenting as being unpatentable over claim 5 of co-pending Application Serial No. 09/475,447. Similarly to claim 1 as discussed above, the invention as presently claimed in claim 6 of the subject application discloses a method for temporarily modifying a ratings control profile. This is unlike the cited co-pending Application which discloses a method for resolving conflicts between two existing overrides that have been entered by a supervisor. It is respectfully submitted that a temporary modification of a ratings profile as claimed in claim 6 of the present invention is different and patentably distinct from a system for resolving conflicts between two existing overrides that have been entered by a supervisor as claimed in claim 5 co-pending Application Serial No. 09/475,447. It is respectfully

submitted that resolving a conflict between two existing override instructions as claimed in US Patent Application Serial No. 09/475,447 is patentably distinct from the temporarily modifying a ratings profile of the present claimed invention and thus the issuance of a patent on the present claimed invention would not result in the applicant receiving two patents for the same invention should US Patent Application Serial No. 09/475, 447 also issue into a patent.

Claim 9 is provisionally rejected under the judicially created doctrine of double patenting as being unpatentable over claim 7 of the co-pending Application Serial No. 09/475,447. Claim 9 of the present application discloses an apparatus having a processor which temporarily modifies a viewer's profile. This is unlike claim 7 of the co-pending application which discloses a system for resolving conflicts between entered overrides. It is respectfully submitted that a system for temporarily modifying a viewer's profile as claimed in claim 9 of the present invention is different and patentably distinct from a system which resolves conflicts between multiple entered overrides as in co-pending Application Serial No. 09/475,447. It is respectfully submitted that resolving a conflict between two existing override instructions as in US Patent Application Serial No. 09/475,447 is not the same invention as temporarily modifying a ratings profile, as in the present claimed invention and thus the issuance of a patent on the present claimed invention would not result in the applicant receiving two patents for the same invention should US Patent Application Serial No 09/475, 447 also issue into a patent.

Provisional Rejection of claims 1, 6, 7 and 9 under the judicially created doctrine of double patenting over copending Application No. 09/475,449

Claim 1 is provisionally rejected under the doctrine of obviousness-type double patenting over claim 1 in co-pending Application Serial No. 09/475,449. Claim 1 of co-pending application neither discloses nor suggests temporarily modifying a user's rating profile as in the present claimed invention. Rather, claim 1 of the co-pending application discloses a video system that is able to store in memory any previously entered and completed overrides. It is respectfully submitted that storing previously entered and completed overrides as in US Patent Application Serial No. 09/475,449 is different and patentably distinct from temporarily modifying a ratings profile as in the present claimed invention and thus the issuance of a patent on the present claimed invention would not result

in the applicant receiving two patents for the same invention should US Patent Application Serial No 09/475,449 also issue into a patent.

Claim 6 is provisionally rejected under the doctrine of obviousness-type double patenting as being unpatentable over claim 6 of co-pending Application Serial No. 09/475, 449. Claim 6 of the co-pending application neither discloses nor suggests temporarily modifying a user's rating profile as in the present claimed invention. In fact, claim 6 of the co-pending application discloses a video system that is able to store in memory any previously entered and completed overrides. It is respectfully submitted that storing previously entered and completed overrides as in US Patent Application Serial No. 09/475,449 is different and patentably distinct from temporarily modifying a ratings profile as in the present claimed invention and thus the issuance of a patent on the present claimed invention would not result in the applicant receiving two patents for the same invention should US Patent Application Serial No 09/475,449 also issue into a patent.

Claim 7 is provisionally rejected under the doctrine of obviousness-type double patenting as being unpatentable over claim 4 of co-pending Application Serial No. 09/475, 449. Claim 7 in the co-pending application neither discloses nor suggests temporarily modifying a user's rating profile as claimed in claim 7 of the present invention. In fact, claim 4 of the co-pending application discloses a video system that is able to store in memory any previously entered and completed overrides. It is respectfully submitted that storing previously entered and completed overrides as in US Patent Application Serial No. 09/475,449 is different and patentably distinct from temporarily modifying a ratings profile, as in the present claimed invention and thus the issuance of a patent on the present claimed invention would not result in the applicant receiving two patents for the same invention should US Patent Application No 09/475,449 also issue into a patent.

Claim 9 is provisionally rejected under the doctrine of obviousness-type double patenting as being unpatentable over claim 8 of co-pending Application Serial No. 09/475, 449. Claim 8 in the co-pending application neither discloses nor suggests temporarily modifying a user's rating profile as in the present claimed invention. Claim 8 of the co-pending application discloses a video system that is able to store in memory any previously entered and completed overrides. It is respectfully submitted that storing previously entered and completed overrides as in US Patent Application Serial No. 09/475,449 is different and

patentably distinct from temporarily modifying a ratings profile, as in the present claimed invention and thus the issuance of a patent on the present claimed invention would not result in the applicant receiving two patents for the same invention should US Patent Application No 09/475,449 also issue into a patent.

Objection to claim 1

Claim 1 is objected to based upon the informalities identified in the Office Action. Claim 1 has been amended to replace the word "is" on line 4, with the word "are". Additionally, claim 1 has been amended to remove the second period at the end of the claim. Based on the above remarks and amendments to claim 1, it is respectfully submitted that the objections have been satisfied and should be withdrawn.

Claims 1-5 are rejected under 35 U.S.C. 102(e)

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Casement.

The present claimed invention recites a video signal processing system for producing an output signal suitable for coupling to a display device to produce a displayed image. The video processing system has a ratings control system which blocks viewing of programs which are broadcast with ratings or spending information which are outside a normal profile set by a supervisor. The ratings control system permits the supervisor to temporarily modify the ratings profile, and automatically restores the normal profile at the end of the period.

The Examiner cites Casement for disclosing "a ratings control system which blocks viewing of programs which are broadcast with ratings (figure 2D) or spending information (figures 2F and 2G) which are outside a normal profile set by a supervisor, which permits the supervisor to temporarily modify the ratings profile (figure 2D), and which automatically restores the normal profile at the end of the period (figure 2E)." However, nowhere in Figures 2D and 2E, nor in the description thereof, does Casement disclose temporarily modifying a user's rating profile as in the present claimed invention. Casement merely discloses placing locks on programs that contain certain content or rating (column 4, line 46 – 50) or locking certain time periods (column 4, line 61 – 65). Casement neither discloses nor suggests temporarily modifying an existing user ratings profile to allow viewing of a

restricted signal and then replace the restrictions associated with that user ratings profile thereafter. Additionally, Casement requires a password be entered to override any lock placed on the TV (column 5, lines 6 – 17). Furthermore, Casement discloses the ability to “Unlock All Locks” to view programming on restricted channels and the user must use a “Relock all locks” feature, or in the alternative turn off the TV, to reset the previously entered, and then overridden, locks (column 5, lines 52 – 67). Thus, Casement requires an all or nothing action to override restrictions. However, Casement neither discloses nor suggests allowing a supervisor to temporarily modify the user’s ratings profile, while maintaining the previously entered restrictions as in the present claimed invention. The present claimed invention automatically restores the restrictions placed on a user rating profile when the temporary modification is completed. This is unlike Casement which requires a user to proactively reset the locks after an override of those locks has been entered.

In view of the above remarks, it is respectfully submitted that Casement neither discloses nor suggests temporary modification of a user’s ratings profile, and thus the present claimed invention is not anticipated by Casement. As claims 2 – 5 are dependent upon claim 1, it is respectfully submitted that claims 2 – 5 are allowable for the same reasons as discussed above with respect to claim 1. Thus, it is further respectfully submitted that the rejection has been satisfied and should be withdrawn.

Claims 6-9 are rejected under 35 U.S.C. 103(a)

Claim 6-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Casement in view of Schein.

Claim 6 has been amended for purposes of clarity to more clearly state that the user profiles are modified by a supervisor entering “temporary modification instructions”.

The present invention as claimed in claim 6 recites a method for blocking viewing or recording or television programs which are broadcast with ratings information or spending information which are outside a range selected by a supervisor. One or more profiles comprising ratings limits, and/or spending, and/or view time limits for each profile is received from a supervisor. Temporary modification instructions are received from a supervisor corresponding to one or more modified profiles which specify one or more

permitted television programs, one or more permitted channels to be unblocked for one or more specific time periods. Viewing or recording of television programs is blocked or permitted according to the current normal profile but as modified by the temporary modification instructions.

Casement, as discussed above, neither discloses nor suggests temporarily modifying a user's rating profile as in the present claimed invention.

Schein discloses users identifying themselves on a system and producing a guide with favorite programs. However, similarly to Casement, Schein neither discloses nor suggests a supervisor who may temporarily modify a user ratings profile as in the present claimed invention. Additionally, Schein neither discloses nor suggest that after the temporary modification is complete that the original restrictions placed on a user rating profile are restored. In fact, Schein allows for continual modification of a user's profile by the user (column 12, lines 47 – 48). This is unlike the present claimed invention that calls for "receiving temporary modification instructions from a supervisor corresponding to one or more modified profiles which specify one or more permitted television programs, one or more permitted channels to be unblocked for one or more specific time periods".

In view of the above remarks and amendment to claim 6, it is respectfully submitted that Schein et al. adds nothing when taken alone or in combination with Casement that would render the present claimed invention unpatentable. Thus, it is further respectfully submitted that the rejection is satisfied, and the applicant requests that the rejection be withdrawn.

As discussed above, it is submitted that claims 1-9 are clearly allowable over the newly cited art and such favorable reconsideration is respectfully requested.

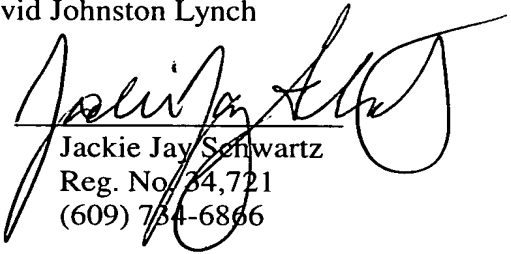
Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this response is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, and to allow all of the claims in this case.

Should the Examiner feel that anything further is necessary to place this application in condition for allowance he is respectfully requested to contact applicants attorney at the telephone number listed below.

No fee is believed due with this response. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
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Patent Operations
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Version with Markings

Please amend claims 1 and 6 as follows:

1. (Amended) A video signal processing system for producing an output signal suitable for coupling to a display device to produce a displayed image, the video processing system having a ratings control system which blocks viewing of programs which are broadcast with ratings or spending information which [is] are outside a normal profile set by a supervisor, which permits the supervisor to temporarily modify the ratings profile, and which automatically restores the normal profile at the end of the period[.].

6. (Amended) Method for blocking viewing or recording of television programs which are broadcast with ratings information or spending information which is outside a range selected by a supervisor comprising (A) receiving one or more profiles comprising ratings limits, and/or spending, and/or view time limits for each profile from a supervisor, (B) receiving [override] temporary modification instructions from a supervisor corresponding to one or more modified profiles which specify one or more permitted television programs, one or more permitted channels to be unblocked for one or more specific time periods, (C) blocking or permitting viewing or recording of television programs according to the current normal profile but as modified by the temporary [override] modification instructions.